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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,586	09/27/2004	Wen-Yi Wu	22171-00024-US1	5585

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EXAMINER

RIZK, SAMIR WADIE

ART UNIT	PAPER NUMBER
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2133

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/711,586	Applicant(s) WU ET AL.	
	Examiner Sam Rizk	Art Unit 2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-31 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.



GUY LAMARRE
PRIMARY EXAMINER

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Response to the applicant's amendment dated 1/23/2007
- Amended claims 1-31 have been submitted for examination
- Amended claims 1-7 and 9-31 have been rejected
- Amended claim 8 is objected to

Duplicate Claim

1. In view of the applicant-amended claim 17 filed on 1/23/2007, all objections to the claim 17 under duplicate claim section are withdrawn.

Double Patenting

2. In view of the applicant terminal disclaimer of copending application no. 10/904,333 filed on 1/23/2007, all objections to the double patenting are withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite because it's not clear whether the "erasure bit" is automatically determined or the "strategies" is automatically switched? The Examiner will do best efforts to examine this limitation on the merits.
4. Claims 11,15,16,17, 18 and 29 are rejected under section 35 USC § 112 for the same reasons as per claim 1.

Response to Arguments

5. Applicant's arguments filed on 1/23/2007 have been fully considered but they are not persuasive.
6. The Examiner disagrees with the applicant assertion in page 19, lines (16-21) that:

"Further, the applied art does not disclose a method for decoding multiword information, wherein, among other features, "...marking an erasure bit for decoding the low protective codewords based on high protective word erasure indicators close to any low protective codeword in the multiword information cluster, wherein the erasure bit is determined by automatically switching strategies to be more strict in sequence", as recited in independent claim 11, as amended."

The Examiner directs the applicant to several locations in Jeon US patent no. 7,058,875 (Hereinafter Jeon) that discloses erasure strategies based on high protective word erasure indicators close to any low protective codeword in the multiword information cluster:

a) Note FIG. 5, reference character (126) in Jeon. Erasure checking unit determines the erasure strategies as disclosed in col. 3, lines (25-41) through col. 4, lines (1 & 2).

b) Jeon teaches in figure 4 erasure strategies based on high protective word erasure indicators close to any low protective codeword in the multiword information cluster by automatically switching strategies to be stricter in sequence (emphasis added):

"As shown in FIG. 4, it is determined whether an error occurs in an LDC data block of size 38 bytes in the second or third column based on errors in

two BIS data blocks adjacent to the LDC data block. And, it is determined whether an error occurs in an LDC data block of size 38 bytes in the first or fourth column based on errors in a BIS data block and sync data adjacent to the LDC data block (stricter in sequence). "

7. The Examiner notes that the applicant in page 13, lines (4-9) misunderstood Jeon teaching of figure 5 as to where the BIS erasure indicator is being stored. Jeon teaches the BIS erasure indicator is being stored in reference character (126) in figure 5, the "Erasure Checking unit" after the "BIS Decoding Unit".

Allowable Subject Matter

8. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

9. The prior Art of record and, in particular Jeon teaches substantially all the limitations in claim 1.

However, the prior art do not teach, suggest, or otherwise render obvious the limitations cited in claim 8:

(Currently amended) The method for decoding multiword information in accordance with Claim 1, wherein the strategies comprise:

a first strategy in which the erasure bit is marked if one high protective word erasure indicator exists at a high protective codeword next to the low protective codeword at each side:

a second strategy in which the erasure bit is marked if one high protective word erasure indicator exists at one of the two high protective codewords next to the protective codeword at each side;

a third strategy in which the erasure bit is marked if two high protective

word erasure indicators exist at two high protective codewords next to the low protective codeword at one side; and
a fourth strategy in which the erasure bit is marked if only one high protective word erasure indicator exists at a high protective codeword next to the low protective codeword at one side

The Examiner notes that Jeon art do not teach, suggest, or otherwise render:

That the erasure bit strategy of low protective codeword comprises one, one of two or two high protective codewords.

10. The Examiner disagrees with the applicant and maintains the rejection of claims (1-7) and (9-31) as in the office action filed on 11/27/2006. All the amendments and arguments have been considered. It is the Examiner's conclusion that claims (1-7) and (9-31) is not patentably distinct or non-obvious over the prior art of record in view of the reference, Jeon. Therefore the rejection is maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571)-272-8191. The examiner can normally be reached on M-F 8-5.

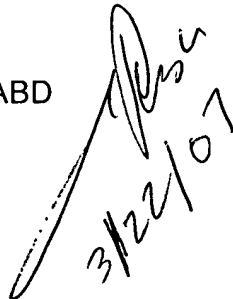
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571)272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sam Rizk, MSEE, ABD

Examiner

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A handwritten signature, likely of Sam Rizk, is written over the printed name. Below the signature, the date "3/22/07" is handwritten.